

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 12/01/03.

I. DISPUTE

Whether there should be reimbursement for CPT code 99204 for date of service 12/03/02.

II. RATIONALE

The Requestor billed \$106.00 for a physical therapy initial evaluation of a new patient. The Carrier denied reimbursement as "F – The provider charged for an initial visit on a subsequent date. The provider, or a provider in the same medical group has previously billed for an initial visit." According to the 1996 Medical Fee Guideline MGR (I)(A)(7), "The physical or occupational therapist's initial evaluation (which excludes treatment) is limited to codes 99202, 99203 and 99204 depending on the level of the service provided..." However, the MFG, E/M GR (I)(A) states, "New patient: one who has not received any professional service from the doctor, or another specialist within the same group practice, within the past three years, and whose medical and administrative records need to be established." The Requestor is part the same group practice as the occupational therapist. The occupational therapist billed for a new patient initial evaluation on 12/02/02 and was reimbursed by the Carrier. The injured worker was not a new patient to the medical group on 12/03/02 when the Requestor billed for the new patient code. Therefore, reimbursement is not recommended.

III. DECISION

Based upon the review of the disputed healthcare services within this request, the Division has determined that the Requestor is not entitled to reimbursement for CPT code 99204.

The above Decision is hereby issued this 07th day of April 2004.

Pat DeVries
Medical Dispute Resolution Officer
Medical Review Division

PD/pd